

DETERMINATION OF SIGNIFICANCE AND REQUEST FOR COMMENTS ON SCOPE OF SEIS

Description of proposal: Areas around Cherry Point are being proposed for designation as an Environmental Aquatic Reserve. The proposal may include approximately 3,400 acres. The type of aquatic reserve being considered is for environmental conservation of an extraordinary stretch of shoreline with excellent potential to maintain the relatively undeveloped character of the area. The herring spawning in the area is recognized as an important biological feature to the Puget Sound ecosystem. The aquatic diversity along this reach is very high with cobble intertidal habitat, large rocks and boulders, and kelp just offshore. Additionally, the deep area close to shore and the steep gradient of the intertidal along this reach could be important to marine diversity.

Proponent: Washington Department of Natural Resources

Location of proposal: Southwest of Birch Bay State Park and Northwest of the Lummi Nation Reservation, Northwest Whatcom County along the eastern shore of the Strait of Georgia which includes that portion of the tidelands and bedlands of navigable waters owned by the state of Washington, and extending waterward to a line which is 70 feet below mean lower low water OR 0.5 mile beyond extreme low tide, whichever line is further waterward, and fronting and abutting Sections 02, 11, 13, 14, and 24, Township 39 North, Range 01 West, W.M., and fronting and abutting Sections 19, 20, 29 and 32, Township 39 North, Range 01 East, W.M. Excepting therefrom, the following Use Authorizations issued by the Department of Natural Resources: lease application numbers 20-A09122, 20-A11714, 20-A08488, 20-013265 and 20-010521; Also excepting there from, any second class tidelands previously sold by the State of Washington.

Lead agency: Washington Department of Natural Resources

Supplemental EIS required. The lead agency has determined this proposal is likely to have a significant adverse impact on the environment and will prepare a Supplemental Environmental Impact Statement to meet the requirements of RCW 43.21C.030(2)(c.). The lead agency will develop a site-specific plan for the proposed Cherry Point environmental aquatic reserve site. Significant impacts and alternatives having been previously identified and analyzed in the programmatic EIS (Aquatic Reserves Program Guidance Non-Project FEIS, September 6, 2002) will not be further reviewed in this SEIS, per WAC 197-11-620(1).

The lead agency has identified the following areas for discussion in the SEIS:

1. The establishment of an environmental aquatic reserve (WAC 332-30-151) within the state-owned aquatic lands in Whatcom County along the eastern shore of the Strait of Georgia (figure 1) for the conservation of the area's high aquatic diversity, distinctive bathymetry, cobble intertidal habitat, large rocks and boulders, abundant offshore aquatic vegetation, herring spawning grounds, aggregations of a variety of predators including pelagic fishes, marine mammals, and marine birds, and salmon migratory corridor.
2. The two boundary alternatives for the site to be evaluated include the following (figure 1):
 - a. Maintain a ½-mile buffer offshore.
 - b. Include the entire photic zone.

3. Impacts that have been identified for discussion include:
 - a. Plant and animal resource impacts could expand to areas outside of proposed reserve site.
 - b. Reduction in areas available for new commercial and recreational water borne transportation systems within the proposal area.
 - c. Possible limitations to present and future built environments within the proposal area.
 - d. Possible decreases in areas available for right of ways, water and waste disposal and other public services including a potential lease for a natural gas pipeline through the reserve.

Scoping: Agencies, affected tribes, and members of the public are invited to comment on the scope of the SEIS. You may comment on alternatives, mitigation measures, probable significant adverse environmental impacts, and licenses or other approvals that may be required. Written comments must be received by: **November 12, 2003, 4:30 p.m.**

Comments should be submitted to:

Address: Washington Department of Natural Resources SEPA Center
1111 Washington Street SE
P.O. Box 47015
Olympia, Washington 98504-7015
Phone: (360) 902-1634
Fax: (360) 902-1759
Email: sepacenter@wadnr.gov

Notice of Public Meeting:

Meeting date: November 5, 2003
Time: 6:30 p.m. to 8:30 p.m.
Place: Port of Bellingham, Squalicum Boat House
Address: 2600 Harbor Loop ---- Squalicum Harbor

Responsible official: Loren Stern
Position/Title: Division Manager
Phone: 360-902-1100
Address: Washington Department of Natural Resources
Aquatic Resources Division
P.O. Box 47027
Olympia, WA 98504-7027

Date: October 22, 2003 **Signature:**

Figure 1: Cherry Point site boundary options

